

# SENATE BILL REPORT

## ESHB 1548

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As Passed Senate, April 5, 2017

**Title:** An act relating to curricula for persons in long-term care facilities with behavioral health needs.

**Brief Description:** Concerning curricula for persons in long-term care facilities with behavioral health needs.

**Sponsors:** House Committee on Health Care & Wellness (originally sponsored by Representatives Schmick and Cody).

**Brief History:** Passed House: 3/01/17, 98-0.

**Committee Activity:** Health Care: 3/13/17, 3/14/17 [DP].

**Floor Activity:**

Passed Senate: 4/05/17, 48-0.

### Brief Summary of Bill

- Requires the Department of Social and Health Services to establish standards for approving curricula for facility-based caregivers serving persons with behavioral health needs and for geriatric behavioral health workers.
- Allows completion of the behavioral health curriculum to substitute for the experience requirement for becoming a geriatric behavioral health worker at a nursing home.
- Removes the requirement that a geriatric behavioral health worker have either a bachelor's or master's degree in social work.

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### SENATE COMMITTEE ON HEALTH CARE

**Majority Report:** Do pass.

Signed by Senators Rivers, Chair; Becker, Vice Chair; Cleveland, Ranking Minority Member; Bailey, Conway, Fain, Keiser, Miloscia, Mullet, O'Ban and Walsh.

**Staff:** Kathleen Buchli (786-7488)

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Background:** Caregivers in an adult family home or assisted living facility must meet training standards in three areas: orientation, basic training, and continuing education. Caregivers must receive special training if they work in a setting with residents who have special needs, such as dementia, developmental disabilities, or mental illness. Nursing homes must have a staff development program to ensure that each employee receives initial orientation training and appropriate inservice education to help residents maintain the highest practicable level of physical, mental, and psychosocial well-being. To accomplish this, nursing homes must assess the training needs of each employee and determine the special needs of the resident population that may require additional emphasis in training.

Nursing homes must also meet certain staffing level requirements. The standards require that nursing homes maintain levels of direct care staff that are adequate to provide at least 3.4 hours of direct care per resident per day. Nursing homes may include geriatric behavioral health workers when calculating their minimum staffing requirements. To be considered a geriatric behavioral health worker, an employee must: (1) have at least three years of experience caring for persons with chronic mental health issues, dementia, or intellectual and developmental disabilities; (2) have advanced practical knowledge in aging, disability, mental illness, Alzheimer's disease, and developmental disabilities; and (3) if the employee holds less than a master's degree in social work, be directly supervised by an employee who has a master's degree in social work or a registered nurse.

**Summary of Bill:** The Department of Social and Health Services must adopt minimum competencies and standards for approving curricula for: (1) facility-based caregivers serving persons with behavioral health needs; and (2) geriatric behavioral health workers. The curricula must be at least 30 hours in length and cover the diagnosis, care, and crisis management of residents with a mental health disorder, traumatic brain injury, or dementia. The curricula must be outcome-based and a caregiver's competency must be measured through an examination.

The completion of the behavioral health curriculum by a nursing home employee may substitute for the experience requirement for becoming recognized as a geriatric behavioral health worker. The requirement that a geriatric behavioral health worker have either a bachelor's or master's degree in social work is removed.

The exception to minimum staffing requirements for geriatric behavioral health workers only applies to hours worked by geriatric behavioral health workers up to a portion of total hours equal to the proportion of resident days of clients at the nursing home with a behavioral health condition. Behavioral health conditions are defined as one or more behavioral symptoms specified in Section E of the Minimum Data Set.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: The training for caregivers serving persons with behavioral health needs and geriatric behavioral health workers needs to be different than training for other long-term care workers. This allows the Department of Social and Health Services to design a training and approve it. This bill provides a career path for workers who care for patients with behavioral or mental health problems, and helps to address staffing issues in these facilities, especially those with high populations of people needing behavioral health care. This bill creates a pool of workers who can provide behavioral health care.

**Persons Testifying:** PRO: Representative Joe Schmick, Prime Sponsor; Robin Dale, Washington Health Care Association.

**Persons Signed In To Testify But Not Testifying:** No one.